

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Servants – Social Welfare Department – Sri Y.Sarangapani, formerly Hostel Welfare Officer, Grade-I, Government Social Welfare S.C.Boys Hostel- A, Hanumakonda, and SW Boys Hostel A, Ghanpur Stn., Warangal District, and retired as Assistant Social Welfare Officer, Maripeda, Warangal District – Certain financial irregularities committed during the period 1991-92 to 1993-94 – Disciplinary action initiated – Further action Dropped – Withheld amount released - Orders – issued.

SOCIAL WELFARE (SER.III.1) DEPARTMENT

G.O.RT.No. 89

DATED:29-01-2011.

Read the following:-

1. From the Dist. Collector, Warangal, Charge Memo. No.B1/621/2000-1, dated.22-07-2000.
2. From the Dist.Collector, Warangal, Procgs. Rc.No.B1/621/2000, dated 30-01-2002.
3. From the Enquiry Officer & RDO, Jangoan, Lr.Rc.No.A/88/2003, dated 28.10.2006.
4. Orders dated 20.04.2009 of the Hon'ble APAT, Hyderabad in O.A No.5324/2004.
5. Govt. Memo. No. 1928/SW.Ser.III(1)/2007-4, dated 07.07.2009.
6. G.O.Rt.No.693, S.W. (Ser.III.1) Department, dated 5.10.2009.
7. Hon'ble APAT orders dt.1.4.2010 in OA.No.1958/2010, filed by Sri Y. Sarangapani.
8. Govt. Memo. No. 1928/SW.Ser.III.1/2007-11, dated 06-07-2010.
9. Hon'ble APAT order dt.26.7.2010 in OA.No.1958/2010 with C.A No.526/2010 and VMA No.1394/2010.
10. From Sri Y. Sarangapani, retired ASWO, Representation, dated 3-8-2010.
11. From the CSW, A.P., Hyderabad, Lr Rc.No.J1/2610/2007, Dt:13-08-2010.
12. Govt. Memo No. 1928/SW.Ser.III (1)/2007-15, dated 30-12-2010.
13. From the G.P. for Ser.III, High Court of A.P., Lr. WP No.823/2011/ GRB/Ser.III, dated 24-01-2011.

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ORDER:

During the special Audit of the (97) Government Social Welfare Hostels in Warangal District for the period from 1991-92 to 1993-94, certain financial irregularities were noticed against Sri. Y. Sarangapani, while he was working as Hostel Welfare Officer at SW Boys Hostel, A, Hanamkonda, and SW Boys Hostel A, Ghanpur Station, to a tune of Rs. 4,72,040/-.

2. In the reference 1st read above, the District Collector, Warangal has framed articles of charge against Sri Y.Sarangapani, Ex-Warden, SW.Boys Hostel (A), Ghanpur station and SW Boys Hostel (A), Hanumakonda (presently retired as ASWO, Maripeda) towards misappropriation of Government funds in maintenance of SW Boys Hostel (A), Ghanpur (station) and SW Boys Hostel (A), Hanumakonda (A) during the year 1991-92 to 1993-94. Sri Y. Sarangapani, Ex-Warden has submitted his explanation.

3. In the reference 2nd read above, the RDO Jangaon, was appointed as the Inquiring Authority and for conducting Enquiry into the charges framed against Sri Y.Sarangapani, Ex-Warden. In the reference 3rd read above, the Enquiry Officer has submitted his Enquiry Report.

4. The District Collector, Warangal disagreed with the findings of the Enquiry Officer and communicated the note of disagreement on the findings of Enquiry Officer along with Enquiry Report to the Charged Officer. Sri Y. Sarangapani, Ex-Warden has submitted his explanation on 11-04-2008.

(P.T.O...)

5. In the reference 4th read above, the Hon'ble APAT in O.A No. 5324/2009 dt. 20.4.2009, filed by the Charged Officer, observed that the disciplinary proceedings are deemed to have been dropped and directed to release the retirement benefits and also other benefits such as increments etc., of the applicant within a period of four weeks from the date of receipt of their order.

6. Sri. Y.Sarangapani was issued a Show Cause Notice vide reference 5th read above, to show cause as to why an amount of Rs. 4,72,040/- should not be recovered from him for the loss caused to Government within 15 days from the date of receipt of the Show Cause Notice. The individual has not submitted any explanation.

7. After examining the issue, In the reference 6th read above, it has been ordered to drop further action in the disciplinary case against Sri Y.Sarangapani as per the orders of the Hon'ble APAT in the reference 4th read above, and also to recover an amount of Rs.4,72,040/- towards loss caused to Government.

8. Aggrieved by the above orders, Sri Y.Sarangapani, ASWO (Retired) has filed O.A in the Hon'ble APAT Hyderabad and in the reference 7th read above, the Hon'ble APAT has made the following interim order:

"In these circumstances, the impugned G.O.Rt.No.693, SW (Ser.III.1) Deptt., dt.5.10.2009 ordering for recovery of Rs.4,72,040/- from the pensionary benefits of the applicant is suspended. The respondents are directed to release the amounts due to the applicant forthwith"

9. After examining the above orders, in the ref. 8th read above, counter affidavit in the O.A.No.1958/2010 has been filed. The Hon'ble A.P.A.T., Hyderabad in reference 9th read above, has ordered as follows:

"In these circumstance, the impugned G.O.Rt. No.693, Social Welfare (SW.Ser.III.1) Department, dt:5-10-2009 is liable to be set aside, to the extent of recovering an amount of Rs. 4,72,040/- from the pensionary benefits of the applicant, and it is accordingly set aside only to the extent of recovery of Rs.4,72,040/- from the pensionary benefits of the applicant, in view of the categorical finding given by this Tribunal and also the Hon'ble High Court that after the period stipulated therein, the disciplinary proceeding against the applicant are deemed to have quashed. The respondents are directed to release the amount of Rs.4,72,040/- with held from the pensionary benefits of the applicant, within a period of two weeks from the date of receipt of this order. The O.A is accordingly allowed C.A. is closed, VMA stands dismissed"

10. In the reference 10th read above, Sri Y.Sarangapani, ASWO (Retired) has submitted a representation with a request to implement the orders of the Hon'ble APAT and in the reference 11th read above, the Commissioner (SW) has also requested the Government to issue orders on the orders of the Hon'ble APAT.

11. After examining the issue, in the reference 12th read above, Government have filed WP No.823/2011 in the Hon'ble High Court against the orders, dt.26.7.2010 in OA.No.1958/2010 with C.A No.526/2010 and VMA No.1394/2010 of the Hon'ble A.P.A.T. In the reference, 13th read above, the Government Pleader for Ser.III, Hon'ble High Court of A.P., has informed that the W.P. filed by the Govt. has been dismissed.

12. The Government have examined the matter in detail and decided to drop further action in the disciplinary case against Sri Y. Sarangapani, ASWO (Retired) and release an amount of Rs.4,72,040/ which was withhold from the pensionary benefits of the individual.

(Contd...3)

13. The Commissioner of Social Welfare is therefore, requested to take further necessary action accordingly and intimate the action taken to Government, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

Sri Y.Sarangapani Ex-Warden, SW Boys Hostel (A), Ghanpur (Station) and
S.W Boys Hostel (A) Hanumkonda, (Retired as ASWO Maripeda).
(through the Commissioner of Social welfare, Hyderabad).

Copy to:-

The Commissioner of Social Welfare, A.P., Hyderabad.

(with 3 copies, with a request to serve a copy on the retired officer
and submit the served copy).

The District Collector, Warangal.

The Accountant General (A&E), A.P., Hyderabad.

The Deputy Accountant General (Pensions), O/o Accountant General,
A.P., Hyderabad.

Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER.